Application No.: 09/828,444 Attorney Docket No.: 20807-0003 RECEIVED
CENTRAL FAX CENTER
JUL 0 7 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: AVALLONE et al.

Application No.: 09/828,444

Group Art Unit:

3621

OFFICIAL

Filed:

April 6, 2001

Examiner:

F. Backer

For:

METHODS AND SYSTEMS FOR PROVIDING PERSONALIZED INFORMATION

TO USERS IN A COMMERCIAL ESTABLISHMENT

RESPONSE UNDER 37 C.F.R. 1.116

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Please consider the following Response for the above-referenced Application.

A) INTRODUCTORY COMMENTS

This Response is filed in response to the Final Office Action dated April 7, 2004.

The Amendments to the Specification section begins on page 2 of this Response.

The Amendments to the Claims section begins on page 3 of this Response and any amendments to the claims are reflected in the listing of the claims included therein.

The Amendments to the Drawings section begins on page 11 of this Response and any amendments to the drawings include both an attached replacement sheet and an annotated sheet showing any changes.

The Remarks/Arguments section begins on page 12 of this Response.

McNees Wallace & Nurick LLC attorneys at law

RECEIVED CENTRAL FAX CENTER JUL 0 7 2004

OFFICIAL

Routing #393 Client #20807-0003

FAX COVER LETTER

DATE:

July 7, 2004

PLEASE DELIVER THE FOLLOWING PAGES:

TO:

Mail Stop AF

FAX:

(703) 872-9306

FROM:

Brian T. Sattizahn

Direct Dial:

(717) 237-5258

TOTAL NUMBER OF PAGES, INCLUDING THIS COVER LETTER: 2

24

MESSAGE:

Please acknowledge receipt of documents.

Transmittal Form Certificate of Fax Transmittal Response Under 37 C.F.R. 1.116 (21 Pages)

Application No. 09/828,444 Filed: April 6, 2001

FAX NUMBER: (717) 232-5300

PARALEGAL RESPONSIBLE:

Kimberly A. Newell

TELEPHONE:

(717) 237-5239

******CONFIDENTIALITY NOTE*****

The information and documents accompanying this transmission contain information from the law firm of McNees Wallace & Nunck LLC which is confidential and/or legally privileged. The information is intended solely for the use of the individual or entity named on this transmission sheet. If you are not the designated recipient, you are hereby notified that any disclosure, copying, distribution or taking of any action in reliance on the contents of this information is prohibited.

If you have received this transmission in error, please notify us by telephone immediately so that we can arrange for the return of the original documents to us at no cost to you and with reimbursement for cost you may have incurred in responding to this notification.

PTO/SB/21 (02-04)
Approved for use through 07/S1/2008. OMB 0851-0091
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1986, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)			Application Number	09/828,444		
			Filing Date	April 6, 2001		
			First Named Inventor	AVALLONE et al.		
			Art Unit	3621		
			Examiner Name	BACKER, FIRMIN		
Total Number of Pages in This Submission 24		24	Attorney Docket Number	20607-0003		
ENCLOSURES (check all that apply)						
Fee Transmittal Form		Drawlng(s)		After Allowance Communication to Group		
Fee Attached		Licensing-related Papers		Appeal Communication to Board of Appeals and Interferences		
Amendment / Reply		Petition		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)		
After Final		Petition to Convert to a Provisional Application		Proprietary Information		
Affidavits/declaration(s)		Power of Attorney, Revocation Change of Correspondence Address		Status Letter		
Extension of Time Request		Terminal Disclaimer		Other Englosure(s) (please identify below):		
Express Abandonment Request		Request for Refund		Certificate of Fax Transmittal		
		CD, Number of CD(s)				
☐ Information Disclosure Statement						
Certified Copy of Priority Document(e)		Remarks				
Response to Missing Parts/ Incomplete Application						
Response to Missing Parts under 37 CFR 1.52 or 1.53				-		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
Firm or Individual name	McNees Wallace & Nurick LLC Brian T. Sattizatn					
Signature	B-75that					
Date	Date July 7. 2004					
CERTIFICATE OF TRANSMISSION/MAILING						
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.						
Typed or orinted name Kimberly A. Newell						
Signature Date July 7, 2004 This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to						

This collection of information is required by 37 CFR 1.5. The yittimation is required to obtain or retain a benefit by the public which is to file (and by the USP10 to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the complete depilication form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTC/SB/97 (08-03)
Approved for use through 07/31/2008. OMB 0551-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1986, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on <u>July 7, 2004</u>. Date

Kimberly A. Newell

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Transmittal Form
Response Under 37 C.F.R. 1.116 (21 pages)
Certificate of Fax Transmittal

Attorney Docket No.: 20807-0003

Application No.: 09/828,444

Filed: April 6, 2001

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the Individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.